

IN THE CLAIMS:

Please amend the claims as follows:

1. (currently amended) A device for facilitating hearing, the device comprising:  
  
an earpiece configured to be captured at least partially within the conchae of an ear; and ~~wherein the earpiece is configured for use in either ear without modification of the earpiece;~~  
  
wherein the earpiece is configured for use in either ear by re-orienting the earpiece without re-configuring the earpiece.
2. (original) The device as recited in claim 1, wherein the earpiece comprises detents configured to be captured by the conchae.
3. (original) The device as recited in claim 1, wherein the earpiece is configured to be captured by protrusions of the conchae.
4. (original) The device as recited in claim 1, wherein the earpiece is configured to be captured at least partially by the antihelix of the ear.
5. (original) The device as recited in claim 1, wherein the earpiece is generally symmetric.
6. (original) The device as recited in claim 1, wherein the earpiece is generally symmetric about a plane that bisects the earpiece.
7. (original) The device as recited in claim 1, wherein the earpiece is generally symmetric about a plane that bisects the earpiece between the top and bottom thereof.

8. (original) The device as recited in claim 1, wherein the earpiece is configured such that one size thereof fits a range of sizes of ears.

9. (original) The device as recited in claim 1, wherein the earpiece is configured such that one size fits most adult ears.

10. canceled

11. (original) The device as recited in claim 1, wherein the earpiece is comprised of at least one rib.

12. (original) The device as recited in claim 1, wherein the earpiece is comprised of at least one generally arcuate rib and at least one generally vertical rib, the generally vertical rib extending between points proximate ends of the arcuate rib.

13. (original) The device as recited in claim 1, wherein the earpiece is comprised of two ribs that are generally configured to define a D.

14. (original) The device as recited in claim 1, further comprising a boss having a bore formed therethrough, the boss being configured to extend at least partially into the ear canal.

15. (original) The device as recited in claim 1, wherein the earpiece is formed of a resilient polymer.

16. (original) The device as recited in claim 1, wherein the earpiece is formed of a resilient polymer having a Shore A durometer of between approximately 35 and approximately 45.

17. (original) The device as recited in claim 1, wherein the earpiece is formed of a resilient polymer having a Shore A durometer of approximately 40.

18. (original) The device as recited in claim 1, wherein the earpiece is formed by injection molding.

19. (previously presented) The device as recited in claim 1, further comprising an acoustic conduit configured so as to cause sound to pass through the earpiece.

20-24 cancelled

25. (currently amended) A method for manufacturing an earpiece, the method comprising:

forming an earpiece from a polymer material;

wherein the earpiece is configured to be captured at least partially within the conchae of an ear; and

wherein the earpiece is configured for use in either ear ~~without modification of the earpiece by re-orienting the earpiece without re-configuring the earpiece.~~

26. (original) The method as recited in claim 25, wherein the polymer material comprises a resilient polymer material.

27. (original) The method as recited in claim 25, wherein the earpiece is formed by injection molding.

28. (currently amended) A method for using a portable communication system, the method comprising:

inserting an earpiece into the ear such that the earpiece is held in place at least partially by the conchae; and

wherein the earpiece is configured for use in either ear ~~without modification of the earpiece by re-orienting the earpiece without re-configuring the earpiece.~~

29. (currently amended) A method for using an earpiece, the method comprising:  
removing the earpiece from one ear; ~~and~~  
re-orienting the earpiece without re-configuring the earpiece; and  
placing the earpiece in the other ear such that the earpiece is held in place at least  
partially by the conchae, ~~the earpiece being configured for use in either ear without~~  
~~modification of the earpiece.~~

30. canceled

31. cancelled

32. (currently amended) An earpiece configured to be captured within the conchae of  
an ear by at least one of:

an antihelix;

a back rim of the conchae;

a tragus; ~~and~~

an antitragus;

wherein the earpiece comprises a generally arcuate rib and a generally vertical rib  
formed so as to generally define the letter D, and also comprises a boss having a bore  
formed therethrough, the boss being formed to the generally vertical rib; and

wherein the earpiece is sufficiently symmetrical to be configured for use in either  
the right or left ear, and comprised of ALPHA PVC 319 40/45.

33. (previously presented) The earpiece as recited in claim 32, wherein a portion  
thereof is captured between a crus of helix within the conchae and the antihelix.

34. cancelled

35. canceled

36. (new) An earpiece comprising:

a generally arcuate rib;

a generally vertical rib;

a boss formed upon the vertical rib and configured to at least partially enter an ear canal;

a bore formed through the boss;

wherein the arcuate rib and the vertical rib cooperate to generally define the letter

D;

wherein the boss, the arcuate rib, and the vertical rib are symmetrical about a plane that bisects the earpiece between top and bottom halves thereof;

wherein the earpiece is configured to be captured at least partially within the conchae of the ear; and

wherein the earpiece is configured for use in either ear by re-orientating the earpiece without re-configuring the earpiece.